

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN O. SETHER
c/o DANIEL J. & DONNA J. SETHER
P.O. BOX 195
GLENDALE, OREGON 97442

confirms the right to use the waters of COW CREEK, a tributary of SOUTH UMPQUA RIVER, for the purpose of IRRIGATION OF 20.9 ACRES.

This right has been perfected under Permit 23188. The date of priority is SEPTEMBER 9, 1954. This right is limited to 0.30 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION) or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

ORIGINAL DIVERSION - SE 1/4 SE 1/4, SECTION 34, TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.; 700 FEET NORTH AND 525 FEET WEST FROM THE SE CORNER OF SECTION 34;

DITCH - SW 1/4 NE 1/4, AS PROJECTED WITHIN REDFIELD DLC 38, SECTION 35, TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.; 870 FEET SOUTH AND 850 FEET WEST FROM THE ENE CORNER OF DLC 38; AND

SE 1/4 SW 1/4, SECTION 34, TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.; 250 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 34.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second (or its equivalent) and 3.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

SE 1/4 SW 1/4 0.1 ACRE
SW 1/4 SE 1/4 12.8 ACRES
SE 1/4 SE 1/4 2.6 ACRES

SECTION 34

TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.

LOT 2 (NW 1/4 NE 1/4) 2.2 ACRES
LOT 3 (NE 1/4 NW 1/4) 3.2 ACRES

SECTION 3

TOWNSHIP 33 SOUTH, RANGE 6 WEST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

The diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the user is entitled; and

The type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 18, 1983 and supersedes Certificate 26331, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Issued July 22, 2004.


Phillip C. Ward, Acting Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80800.